

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

INTERNET MACHINES LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Cause No. 6:11-CV-250-MHS
	§	Cause No. 6:10-CV-548-MHS
	§	(CONSOLIDATED)
AVNET, INC., <i>et al.</i> ,	§	
	§	
Defendants.	§	Jury Trial Demanded
	§	

**SILICOM CONNECTIVITY SOLUTIONS, INC. D/B/A SILICOM’S ANSWER,
AFFIRMATIVE DEFENSES, AND COUNTERCLAIMS TO PLAINTIFF’S THIRD
AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Silicom Connectivity Solutions, Inc. D/B/A Silicom (“SILICOM”) files its Answer, Affirmative Defenses, and Counterclaims to Plaintiff’s Third Amended Complaint for Patent Infringement as follows:

PRELIMINARY STATEMENT

SILICOM files its Answer, Affirmative Defenses, and Counterclaims to the best of its knowledge and ability. SILICOM reserves the right to supplement or amend this answer to include additional defenses that are discovered during the course of this lawsuit, including but not limited to the defense of inequitable conduct.

FIRST DEFENSE

1. Subject to and without waiving any of the affirmative defenses set forth in this Answer or otherwise available at law or equity, SILICOM responds to the separate, numbered paragraphs of Plaintiff’s Amended Complaint for Patent Infringement (the “Complaint”) as follows:

Parties

1.1 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1, and on that basis denies the same.

1.2 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2, and on that basis denies the same.

1.3 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3, and on that basis denies the same.

1.4 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 4, and on that basis denies the same.

1.5 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 5, and on that basis denies the same.

1.6 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 6, and on that basis denies the same.

1.7 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 7, and on that basis denies the same.

1.8 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8, and on that basis denies the same.

1.9 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 9, and on that basis denies the same.

1.10 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 10, and on that basis denies the same.

1.11 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 11, and on that basis denies the same.

1.12 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12, and on that basis denies the same.

1.13 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13, and on that basis denies the same.

1.14 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 14, and on that basis denies the same.

1.15 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 15, and on that basis denies the same.

1.16 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 16, and on that basis denies the same.

1.17 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 17, and on that basis denies the same.

1.18 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 18, and on that basis denies the same.

1.19 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19, and on that basis denies the same.

1.20 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20, and on that basis denies the same.

1.21 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21, and on that basis denies the same.

1.22 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22, and on that basis denies the same.

1.23 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 23, and on that basis denies the same.

1.24 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 24, and on that basis denies the same.

1.25 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25, and on that basis denies the same.

1.26 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 26, and on that basis denies the same.

1.27 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 27, and on that basis denies the same.

1.28 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 28, and on that basis denies the same.

1.29 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 29, and on that basis denies the same.

1.30 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 30, and on that basis denies the same.

1.31 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 31, and on that basis denies the same.

1.32 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 32, and on that basis denies the same.

1.33 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 33, and on that basis denies the same.

1.34 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 34, and on that basis denies the same.

1.35 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 35, and on that basis denies the same.

1.36 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 36, and on that basis denies the same.

1.37 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 37, and on that basis denies the same.

1.38 SILICOM admits that it is a Washington corporation with a place of business in New Jersey.

1.39 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 39, and on that basis denies the same.

1.40 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 40, and on that basis denies the same.

1.41 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 41, and on that basis denies the same.

Jurisdiction and Venue

1.42 SILICOM admits that this action arises under the patent laws of the United States, Title 35 of the United States Code. SILICOM admits that this Court has subject matter jurisdiction over this action. SILICOM does not contest personal jurisdiction. SILICOM denies all other express or implied allegations contained in paragraph 42, including but not limited to any allegation that SILICOM has in any way committed any act of patent infringement.

1.43 SILICOM denies that venue is proper in this forum. SILICOM denies all other express or implied allegations contained in paragraph 43, including but not limited to any allegation that SILICOM has in any way committed any act of patent infringement.

Count I

1.44 SILICOM admits that United States Patent No. 7,454,552 (“the ’552 Patent”) is entitled “Switching with Transparent and Non-Transparent Ports.” SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 44, and on that basis denies the same.

1.45 SILICOM admits that the ’552 Patent lists, under “Inventors,” the names Heath Stewart, Michael de la Garrigue, and Chris Haywood. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 45, and on that basis denies the same.

1.46 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 46, and on that basis denies the same.

1.47 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 47, and on that basis denies the same.

1.48 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 48, and on that basis denies the same.

1.49 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 49, and on that basis denies the same.

1.50 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 50, and on that basis denies the same.

1.51 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 51, and on that basis denies the same.

1.52 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 52, and on that basis denies the same.

1.53 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 53, and on that basis denies the same.

1.54 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 54, and on that basis denies the same.

1.55 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 55, and on that basis denies the same.

1.56 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 56, and on that basis denies the same.

1.57 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 57, and on that basis denies the same.

1.58 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 58, and on that basis denies the same.

1.59 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 59, and on that basis denies the same.

1.60 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 60, and on that basis denies the same.

1.61 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 61, and on that basis denies the same.

1.62 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 62, and on that basis denies the same.

1.63 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 63, and on that basis denies the same.

1.64 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 64, and on that basis denies the same.

1.65 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 65, and on that basis denies the same.

1.66 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 66, and on that basis denies the same.

1.67 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 67, and on that basis denies the same.

1.68 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 68, and on that basis denies the same.

1.69 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 69, and on that basis denies the same.

1.70 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 70, and on that basis denies the same.

1.71 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 71, and on that basis denies the same.

1.72 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 72, and on that basis denies the same.

1.73 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 73, and on that basis denies the same.

1.74 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 74, and on that basis denies the same.

1.75 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 75, and on that basis denies the same.

1.76 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 76, and on that basis denies the same.

1.77 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 77, and on that basis denies the same.

1.78 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 78, and on that basis denies the same.

1.79 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 79, and on that basis denies the same.

1.80 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 80, and on that basis denies the same.

1.81 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 81, and on that basis denies the same.

1.82 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 82, and on that basis denies the same.

1.83 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 83, and on that basis denies the same.

1.84 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 84, and on that basis denies the same.

1.85 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 85, and on that basis denies the same.

1.86 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 86, and on that basis denies the same.

1.87 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 87, and on that basis denies the same.

1.88 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 88, and on that basis denies the same.

1.89 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 89, and on that basis denies the same.

1.90 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 90, and on that basis denies the same.

1.91 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 91, and on that basis denies the same.

1.92 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 92, and on that basis denies the same.

1.93 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 93, and on that basis denies the same.

1.94 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 94, and on that basis denies the same.

1.95 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 95, and on that basis denies the same.

1.96 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 96, and on that basis denies the same.

1.97 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 97, and on that basis denies the same.

1.98 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 98, and on that basis denies the same.

1.99 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 99, and on that basis denies the same.

1.100 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 100, and on that basis denies the same.

1.101 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 101, and on that basis denies the same.

1.102 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 102, and on that basis denies the same.

1.103 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 103, and on that basis denies the same.

1.104 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 104, and on that basis denies the same.

1.105 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 105, and on that basis denies the same.

1.106 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 106, and on that basis denies the same.

1.107 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 107, and on that basis denies the same.

1.108 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 108, and on that basis denies the same.

1.109 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 109, and on that basis denies the same.

1.110 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 110, and on that basis denies the same.

1.111 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 111, and on that basis denies the same.

1.112 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 112, and on that basis denies the same.

1.113 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 113, and on that basis denies the same.

1.114 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 114, and on that basis denies the same.

1.115 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 115, and on that basis denies the same.

1.116 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 116, and on that basis denies the same.

1.117 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 117, and on that basis denies the same.

1.118 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 118, and on that basis denies the same.

1.119 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 119, and on that basis denies the same.

1.120 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 120, and on that basis denies the same.

1.121 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 121, and on that basis denies the same.

1.122 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 122, and on that basis denies the same.

1.123 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 123, and on that basis denies the same.

1.124 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 124, and on that basis denies the same.

1.125 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 125, and on that basis denies the same.

1.126 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 126, and on that basis denies the same.

1.127 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 127, and on that basis denies the same.

1.128 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 128, and on that basis denies the same.

1.129 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 129, and on that basis denies the same.

1.130 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 130, and on that basis denies the same.

1.131 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 131, and on that basis denies the same.

1.132 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 132, and on that basis denies the same.

1.133 SILICOM denies any and all allegations made in paragraph 133.

1.134 SILICOM denies any and all allegations made in paragraph 134.

1.135 SILICOM denies any and all allegations made in paragraph 135.

1.136 SILICOM denies any and all allegations made in paragraph 136.

1.137 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 137, and on that basis denies the same.

1.138 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 138, and on that basis denies the same.

1.139 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 139, and on that basis denies the same.

1.140 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 140, and on that basis denies the same.

1.141 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 141, and on that basis denies the same.

1.142 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 142, and on that basis denies the same.

1.143 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 143, and on that basis denies the same.

1.144 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 144, and on that basis denies the same.

1.145 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 145, and on that basis denies the same.

1.146 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 146, and on that basis denies the same.

1.147 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 147, and on that basis denies the same.

1.148 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 148, and on that basis denies the same.

Count II

1.149 SILICOM admits that United States Patent No. 7,421,532 (“the ’532 Patent”) is entitled “Switching with Transparent and Non-Transparent Ports.” SILICOM denies all other express or implied allegations contained in paragraph 149.

1.150 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 150, and on that basis denies the same.

1.151 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 151, and on that basis denies the same.

1.152 SILICOM admits that the '532 Patent lists, under "Inventors," the names Heath Stewart, Michael de la Garrigue, and Chris Haywood. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 152, and on that basis denies the same.

1.153 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 153, and on that basis denies the same.

1.154 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 154, and on that basis denies the same.

1.155 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 155, and on that basis denies the same.

1.156 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 156, and on that basis denies the same.

1.157 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 157, and on that basis denies the same.

1.158 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 158, and on that basis denies the same.

1.159 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 159, and on that basis denies the same.

1.160 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 160, and on that basis denies the same.

1.161 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 161, and on that basis denies the same.

1.162 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 162, and on that basis denies the same.

1.163 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 163, and on that basis denies the same.

1.164 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 164, and on that basis denies the same.

1.165 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 165, and on that basis denies the same.

1.166 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 166, and on that basis denies the same.

1.167 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 167, and on that basis denies the same.

1.168 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 168, and on that basis denies the same.

1.169 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 169, and on that basis denies the same.

1.170 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 170, and on that basis denies the same.

1.171 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 171, and on that basis denies the same.

1.172 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 172, and on that basis denies the same.

1.173 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 173, and on that basis denies the same.

1.174 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 174, and on that basis denies the same.

1.175 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 175, and on that basis denies the same.

1.176 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 176, and on that basis denies the same.

1.177 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 177, and on that basis denies the same.

1.178 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 178, and on that basis denies the same.

1.179 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 179, and on that basis denies the same.

1.180 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 180, and on that basis denies the same.

1.181 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 181, and on that basis denies the same.

1.182 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 182, and on that basis denies the same.

1.183 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 183, and on that basis denies the same.

1.184 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 184, and on that basis denies the same.

1.185 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 185, and on that basis denies the same.

1.186 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 186, and on that basis denies the same.

1.187 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 187, and on that basis denies the same.

1.188 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 188, and on that basis denies the same.

1.189 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 189, and on that basis denies the same.

1.190 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 190, and on that basis denies the same.

1.191 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 191, and on that basis denies the same.

1.192 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 192, and on that basis denies the same.

1.193 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 193, and on that basis denies the same.

1.194 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 194, and on that basis denies the same.

1.195 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 195, and on that basis denies the same.

1.196 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 196, and on that basis denies the same.

1.197 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 197, and on that basis denies the same.

1.198 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 198, and on that basis denies the same.

1.199 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 199, and on that basis denies the same.

1.200 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 200, and on that basis denies the same.

1.201 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 201, and on that basis denies the same.

1.202 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 202, and on that basis denies the same.

1.203 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 203, and on that basis denies the same.

1.204 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 204, and on that basis denies the same.

1.205 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 205, and on that basis denies the same.

1.206 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 206, and on that basis denies the same.

1.207 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 207, and on that basis denies the same.

1.208 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 208, and on that basis denies the same.

1.209 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 209, and on that basis denies the same.

1.210 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 210, and on that basis denies the same.

1.211 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 211, and on that basis denies the same.

1.212 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 212, and on that basis denies the same.

1.213 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 213, and on that basis denies the same.

1.214 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 214, and on that basis denies the same.

1.215 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 215, and on that basis denies the same.

1.216 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 216, and on that basis denies the same.

1.217 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 217, and on that basis denies the same.

1.218 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 218, and on that basis denies the same.

1.219 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 219, and on that basis denies the same.

1.220 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 220, and on that basis denies the same.

1.221 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 221, and on that basis denies the same.

1.222 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 222, and on that basis denies the same.

1.223 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 223, and on that basis denies the same.

1.224 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 224, and on that basis denies the same.

1.225 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 225, and on that basis denies the same.

1.226 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 226, and on that basis denies the same.

1.227 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 227, and on that basis denies the same.

1.228 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 228, and on that basis denies the same.

1.229 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 229, and on that basis denies the same.

1.230 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 230, and on that basis denies the same.

1.231 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 231, and on that basis denies the same.

1.232 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 232, and on that basis denies the same.

1.233 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 233, and on that basis denies the same.

1.234 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 234, and on that basis denies the same.

1.235 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 235, and on that basis denies the same.

1.236 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 236, and on that basis denies the same.

1.237 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 237, and on that basis denies the same.

1.238 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 238, and on that basis denies the same.

1.239 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 239, and on that basis denies the same.

1.240 SILICOM denies any and all allegations made in paragraph 240.

1.241 SILICOM denies any and all allegations made in paragraph 241.

1.242 SILICOM denies any and all allegations made in paragraph 242.

1.243 SILICOM denies any and all allegations made in paragraph 243.

1.244 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 244, and on that basis denies the same.

1.245 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 245, and on that basis denies the same.

1.246 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 246, and on that basis denies the same.

1.247 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 247, and on that basis denies the same.

1.248 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 248, and on that basis denies the same.

1.249 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 249, and on that basis denies the same.

1.250 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 250, and on that basis denies the same.

1.251 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 251, and on that basis denies the same.

1.252 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 252, and on that basis denies the same.

1.253 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 253, and on that basis denies the same.

1.254 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 254, and on that basis denies the same.

1.255 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 255, and on that basis denies the same.

Count III

1.256 SILICOM admits that United States Patent No. 7,814,259 (“the ’259 Patent”) is entitled “PCI Express Switch with Backwards Compatibility.” SILICOM denies all other express or implied allegations contained in paragraph 256.

1.257 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 257, and on that basis denies the same.

1.258 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 258, and on that basis denies the same.

1.259 SILICOM admits that the ’259 Patent lists, under “Inventors,” the names Heath Stewart, Michael de la Garrigue, and Chris Haywood. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 259, and on that basis denies the same.

1.260 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 260, and on that basis denies the same.

1.261 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 261, and on that basis denies the same.

1.262 SILICOM denies any and all allegations regarding SILICOM made in paragraph 262. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 262, and on that basis denies the same.

1.263 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 263, and on that basis denies the same.

1.264 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 264, and on that basis denies the same.

1.265 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 265, and on that basis denies the same.

1.266 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 266, and on that basis denies the same.

1.267 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 267, and on that basis denies the same.

1.268 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 268, and on that basis denies the same.

1.269 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 269, and on that basis denies the same.

1.270 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 270, and on that basis denies the same.

1.271 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 271, and on that basis denies the same.

1.272 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 272, and on that basis denies the same.

1.273 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 273, and on that basis denies the same.

1.274 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 274, and on that basis denies the same.

1.275 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 275, and on that basis denies the same.

1.276 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 276, and on that basis denies the same.

1.277 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 277, and on that basis denies the same.

1.278 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 278, and on that basis denies the same.

1.279 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 279, and on that basis denies the same.

1.280 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 280, and on that basis denies the same.

1.281 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 281, and on that basis denies the same.

1.282 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 282, and on that basis denies the same.

1.283 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 283, and on that basis denies the same.

1.284 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 284, and on that basis denies the same.

1.285 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 285, and on that basis denies the same.

1.286 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 286, and on that basis denies the same.

1.287 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 287, and on that basis denies the same.

1.288 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 288, and on that basis denies the same.

1.289 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 289, and on that basis denies the same.

1.290 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 290, and on that basis denies the same.

1.291 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 291, and on that basis denies the same.

1.292 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 292, and on that basis denies the same.

1.293 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 293, and on that basis denies the same.

1.294 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 294, and on that basis denies the same.

1.295 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 295, and on that basis denies the same.

1.296 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 296, and on that basis denies the same.

1.297 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 297, and on that basis denies the same.

1.298 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 298, and on that basis denies the same.

1.299 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 299, and on that basis denies the same.

1.300 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 300, and on that basis denies the same.

1.301 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 301, and on that basis denies the same.

1.302 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 302, and on that basis denies the same.

1.303 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 303, and on that basis denies the same.

1.304 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 304, and on that basis denies the same.

1.305 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 305, and on that basis denies the same.

1.306 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 306, and on that basis denies the same.

1.307 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 307, and on that basis denies the same.

1.308 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 308, and on that basis denies the same.

1.309 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 309, and on that basis denies the same.

1.310 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 310, and on that basis denies the same.

1.311 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 311, and on that basis denies the same.

1.312 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 312, and on that basis denies the same.

1.313 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 313, and on that basis denies the same.

1.314 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 314, and on that basis denies the same.

1.315 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 315, and on that basis denies the same.

1.316 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 316, and on that basis denies the same.

1.317 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 317, and on that basis denies the same.

1.318 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 318, and on that basis denies the same.

1.319 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 319, and on that basis denies the same.

1.320 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 320, and on that basis denies the same.

1.321 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 321, and on that basis denies the same.

1.322 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 322, and on that basis denies the same.

1.323 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 323, and on that basis denies the same.

1.324 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 324, and on that basis denies the same.

1.325 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 325, and on that basis denies the same.

1.326 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 326, and on that basis denies the same.

1.327 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 327, and on that basis denies the same.

1.328 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 328, and on that basis denies the same.

1.329 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 329, and on that basis denies the same.

1.330 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 330, and on that basis denies the same.

1.331 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 331, and on that basis denies the same.

1.332 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 332, and on that basis denies the same.

1.333 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 333, and on that basis denies the same.

1.334 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 334, and on that basis denies the same.

1.335 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 335, and on that basis denies the same.

1.336 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 336, and on that basis denies the same.

1.337 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 337, and on that basis denies the same.

1.338 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 338, and on that basis denies the same.

1.339 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 339, and on that basis denies the same.

1.340 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 340, and on that basis denies the same.

1.341 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 341, and on that basis denies the same.

1.342 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 342, and on that basis denies the same.

1.343 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 343, and on that basis denies the same.

1.344 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 344, and on that basis denies the same.

1.345 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 345, and on that basis denies the same.

1.346 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 346, and on that basis denies the same.

1.347 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 347, and on that basis denies the same.

1.348 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 348, and on that basis denies the same.

1.349 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 349, and on that basis denies the same.

1.350 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 350, and on that basis denies the same.

1.351 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 351, and on that basis denies the same.

1.352 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 352, and on that basis denies the same.

1.353 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 353, and on that basis denies the same.

1.354 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 354, and on that basis denies the same.

1.355 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 355, and on that basis denies the same.

1.356 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 356, and on that basis denies the same.

1.357 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 357, and on that basis denies the same.

1.358 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 358, and on that basis denies the same.

1.359 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 359, and on that basis denies the same.

1.360 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 360, and on that basis denies the same.

1.361 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 361, and on that basis denies the same.

1.362 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 362, and on that basis denies the same.

1.363 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 363, and on that basis denies the same.

1.364 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 364, and on that basis denies the same.

1.365 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 365, and on that basis denies the same.

1.366 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 366, and on that basis denies the same.

1.367 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 367, and on that basis denies the same.

1.368 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 368, and on that basis denies the same.

1.369 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 369, and on that basis denies the same.

1.370 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 370, and on that basis denies the same.

1.371 SILICOM denies any and all allegations made in paragraph 371.

1.372 SILICOM denies any and all allegations made in paragraph 372.

1.373 SILICOM denies any and all allegations made in paragraph 373.

1.374 SILICOM denies any and all allegations made in paragraph 374.

1.375 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 375, and on that basis denies the same.

1.376 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 376, and on that basis denies the same.

1.377 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 377, and on that basis denies the same.

1.378 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 378, and on that basis denies the same.

1.379 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 379, and on that basis denies the same.

1.380 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 380, and on that basis denies the same.

1.381 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 381, and on that basis denies the same.

1.382 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 382, and on that basis denies the same.

1.383 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 383, and on that basis denies the same.

1.384 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 384, and on that basis denies the same.

1.385 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 385, and on that basis denies the same.

1.386 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 386, and on that basis denies the same.

Count IV

1.387 SILICOM admits that United States Patent No. 7,945,722 (“the ’722 Patent”) is entitled “Routing Data Units Between Different Address Domains.” SILICOM denies all other express or implied allegations contained in paragraph 387.

1.388 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 388, and on that basis denies the same.

1.389 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 389, and on that basis denies the same.

1.390 SILICOM admits that the ’722 Patent lists, under “Inventors,” the names Heath Stewart, Michael de la Garrigue, and Chris Haywood. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 390, and on that basis denies the same.

1.391 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 391, and on that basis denies the same.

1.392 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 392, and on that basis denies the same.

1.393 SILICOM denies any and all allegations regarding SILICOM made in paragraph 393. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 393, and on that basis denies the same.

1.394 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 394, and on that basis denies the same.

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1.505 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 505, and on that basis denies the same.

1.506 SILICOM denies any and all allegations made in paragraph 506.

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1.510 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 510, and on that basis denies the same.

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1.516 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 516, and on that basis denies the same.

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1.519 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 519, and on that basis denies the same.

1.520 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 520, and on that basis denies the same.

1.521 SILICOM is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 521, and on that basis denies the same.

1.522 SILICOM denies any and all allegations regarding SILICOM made in paragraph 522. SILICOM is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 522, and on that basis denies the same.

1.523 SILICOM denies any and all allegations in the Complaint that were not expressly admitted herein.

Prayer for Relief

1.524 Paragraphs 1 through 7 constitute requests for relief for which no response is required. For that reason, SILICOM denies that Plaintiff is entitled to any relief, and asserts that Plaintiff's claims for relief should be denied in their entirety.

Demand for Jury Trial

1.525 With regard to the Demand of Jury Trial in the Complaint, no admission or denial is required.

SECOND DEFENSE

2. Venue is improper in the Eastern District of Texas.

THIRD DEFENSE

3. Plaintiff's Complaint fails to state a claim upon which relief can be granted.

FOURTH DEFENSE

4. SILICOM has not infringed and does not infringe, nor has it contributed to any infringement by others, nor has it induced others to infringe any claim of United States Patent Nos. 7,454,552 ("the '552 Patent"), 7,421,532 ("the '532 Patent"), 7,814,259 ("the '259 Patent"), and/or 7,945,722 ("the '722 Patent").

FIFTH DEFENSE

5.1. The claims of the '552 Patent are invalid for failure to comply with the requirements for patentability under the patent laws, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, and/or 112.

5.2. The claims of the '532 Patent are invalid for failure to comply with the requirements for patentability under the patent laws, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, and/or 112.

5.3. The claims of the '259 Patent are invalid for failure to comply with the requirements for patentability under the patent laws, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, and/or 112.

5.4. The claims of the '722 Patent are invalid for failure to comply with the requirements for patentability under the patent laws, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, and/or 112.

SIXTH DEFENSE

6. Plaintiff's claims are barred in whole or in part by the doctrines of laches and/or estoppel.

SEVENTH DEFENSE

7. To the extent that Plaintiff or its predecessors in interest of the '552, '532, '259, and/or the '722 Patents (collectively the "Patents-In-Suit") failed to properly notify SILICOM of the actions alleged to infringe the Patents-In-Suit, including but not limited to, by reason of 35 U.S.C. § 287 or infringement allegations based on indirect infringement, SILICOM is not liable to Plaintiff for those allegedly infringing actions performed prior to receipt of actual notice of allegations that it was infringing the Patents-In-Suit.

EIGHTH DEFENSE

8. Plaintiff's claims are barred in whole or in part by prosecution history estoppel.

NINTH DEFENSE

9. Plaintiff's claims are barred in whole or in part by the doctrine of unclean hands.

TENTH DEFENSE

10. Plaintiff's claims are barred in whole or in part due to Plaintiff's failure to mitigate damages, if any.

ELEVENTH DEFENSE

11. Plaintiff's claims are barred in whole or in part for lack of standing.

TWELFTH DEFENSE

12. Pursuant to 35 U.S.C. § 286, Plaintiff's claims are barred in whole or in part for all events occurring more than six years before the filing of this lawsuit.

THIRTEENTH DEFENSE

13. Plaintiff's claims are barred in whole or in part under 28 U.S.C. § 1498.

FOURTEENTH DEFENSE

14. Plaintiff's claims are barred in whole or in part due to previous licensing agreements entered into involving one or more of the Patents-In-Suit.

FIFTEENTH DEFENSE

15. Plaintiff's claims are barred in whole or in part by the doctrine of patent exhaustion.

COUNTERCLAIMS

As set forth above, SILICOM contends that venue is improper in the Eastern District of Texas. Accordingly, the counterclaims asserted below in no way constitute a waiver of that or any other defense asserted by SILICOM.¹ Thus, subject to and without waiving any of the foregoing defenses, SILICOM asserts the following Counterclaims against Plaintiff/Counter-Defendant Internet Machines:

Jurisdiction and Venue

14. This Court has subject-matter jurisdiction over the following Counterclaims under 28 U.S.C. §§ 1331 and 1338(a) (2004). This Court has personal jurisdiction over Internet Machines because it has voluntarily appeared before this Court for all purposes.

15. Venue is proper as to Internet Machines under 28 U.S.C. §§ 1391(b) and 1400(b) (2004).

¹See *Bayou Steel Corp. v. M/V Amstelveorn*, 809 F.2d 1147, 1148-49 (5th Cir. 1987).

The Parties

16. Counterclaim-Plaintiff Silicom Connectivity Solutions, Inc. is a Washington corporation with its principal executive offices located in Paramus, New Jersey.

17. On information and belief, Counterclaim-Defendant Internet Machines LLC (“Internet Machines”) is a Limited Liability Company organized under the laws of the State of Texas and is located at 208 N. Green Street, Suite 310 in Longview, Texas.

18. Counter-Defendant Internet Machines has filed suit in this matter asserting infringement by SILICOM of the Patents-In-Suit. The allegations in the Complaint have created an actual and justiciable controversy between Internet Machines and SILICOM concerning the infringement and invalidity of the Patents-In-Suit.

19. Pursuant to the Declaratory Judgments Act, 28 U.S.C. §§ 2201-2202 (2004), SILICOM is entitled to a declaratory judgment that it has not infringed any valid and enforceable claim of the Patents-In-Suit.

First Counterclaim – Declaratory Judgment of Non-Infringement of the ’552, ’532, ’259 and ’722 Patents

20. SILICOM incorporates by reference the statements and allegations set forth in paragraphs 1-19 with the same force and effect as though fully rewritten herein.

21. On information and belief, SILICOM has not infringed and is not infringing any claim of the Patents-In-Suit. On information and belief, SILICOM has not contributorily infringed and is not contributorily infringing, has not actively induced infringement and is not actively inducing others to infringe, and has not and is not jointly infringing any claim of the Patents-In-Suit.

22. SILICOM is entitled to a declaratory judgment that it has not infringed and is not infringing (either directly, contributorily, jointly, or by inducement) any claim of the Patents-In-Suit, either literally or by the application of the doctrine of equivalents.

**Second Counterclaim – Declaratory Judgment of Invalidity of the '552, '532, '259
and '722 Patents**

23. SILICOM incorporates by reference the statements and allegations set forth in paragraphs 1-22 with the same force and effect as though fully rewritten herein.

24. The Patents-In-Suit are invalid for failure to meet the conditions set forth in 35 U.S.C. §§ 101, 102, 103 and 112.

25. SILICOM is entitled to a declaratory judgment that the Patents-In-Suit are invalid.

PRAYER FOR RELIEF

WHEREFORE, SILICOM respectfully requests that this Court enter judgment in its favor and grant the following relief:

- a. Dismiss the Complaint against SILICOM for improper venue;
- b. Dismiss with prejudice the Complaint against SILICOM;
- c. Declare that SILICOM does not infringe any claim of the Patents-In-Suit;
- d. Declare that the Patents-In-Suit are invalid;
- e. Award to SILICOM its costs, attorneys' fees, and disbursements associated with this action; and
- f. Award any additional relief as the Court may deem appropriate and just under the circumstances.

Dated: April 9, 2012

Respectfully submitted,

/s/ W. Barton Rankin

Jay F. Utley (Lead Counsel)

Texas Bar No. 00798559

E-Mail: jay.utley@bakermckenzie.com

John G. Flaim

Texas Bar No. 00785864

E-Mail: john.flaim@bakermckenzie.com

Brian C. McCormack

Texas Bar No. 00797036

E-Mail: brian.mccormack@bakermckenzie.com

W. Barton Rankin

Texas Bar No. 24037333

E-Mail: bart.rankin@bakermckenzie.com

Terry A. Saad

Texas Bar No. 24066015

E-Mail: terry.saad@bakermckenzie.com

Erin M. Tanner

Texas Bar No. 24079436

E-mail: erin.tanner@bakermckenzie.com

BAKER & MCKENZIE LLP

2300 Trammell Crow Center

2001 Ross Avenue

Dallas, Texas 75201

Telephone: (214) 978-3000

Facsimile: (214) 978-3099

John F. Bufe

Texas State Bar No. 03316930

johnbufe@potterminton.com

Potter Minton, A Professional Corporation

110 N. College Ave.

500 Plaza Tower (75702)

P.O. Box 359

Tyler, Texas 75710

T 903-597-8311

F 903-593-0846

COUNSEL FOR DEFENDANT

SILICOM CONNECTIVITY SOLUTIONS, INC.

D/B/A SILICOM

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of April 2012, a true and correct copy of Silicom Connectivity Solutions, Inc. D/B/A/ Silicom's Answer, Affirmative Defenses, and Counterclaims to Plaintiff's Third Amended Complaint for Patent Infringement was served on all parties of record via the Court's ECF filing system.

/s/ W. Barton Rankin

W. Barton Rankin

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